

To: Patrick D Hodgins[PDHodgins@paalp.com];
jennifer.f.williams@uscg.mil[jennifer.f.williams@uscg.mil]; Waldon,
MARGARET[Waldon.Margaret@epa.gov]; 'Crossland, Mark@Wildlife'[Mark.Crossland@wildlife.ca.gov];
Troy, Robert[rtroy@sbcoem.org]
From: Rockabrand, Ryan
Sent: Wed 8/12/2015 7:23:54 PM
Subject: RE: UC approval of Phase II and Phase III plans

I'll reach out to Dianne but I think we maybe mixing up two different issues.

Follow-on permits are a requirement and fall outside UC and response through P&D.

Work completed thus far is approved through LOSC as part of emergency response however we engaged P&D each step of the way to ensure continuity.

----- Original message -----

From: Patrick D Hodgins <PDHodgins@paalp.com>
Date: 08/12/2015 11:34 AM (GMT-08:00)
To: jennifer.f.williams@uscg.mil, "waldon.margaret" <waldon.margaret@epa.gov>, "'Crossland, Mark@Wildlife'" <Mark.Crossland@wildlife.ca.gov>, "Rockabrand, Ryan" <rrockabrand@sbcoem.org>
Subject: UC approval of Phase II and Phase III plans

Good Afternoon UC,

I received the below email from James our environmental specialist who has been dealing with Santa Barbara County. You may recall the meeting with Diane Black with CWO Jones, Robert Troy, myself and our environmental team.

The county regulatory stakeholders have had complete review and according to LOSC approval of documents before the LOSC could sign the plans.

Now the County is coming back to us and stating they have a right to redo permits and direction over the cleanup and restoration work we have already completed etc. bc they were not allowed to approve plans.

The county stakeholders gave that right to approve to LOSC...and as we know from emails and conference call discussions they did not allow the LOSC to approve and sign documents until after they received all of the county stakeholders approval.

Very disappointing after six and half weeks of developing the Phase III plans to hear SB County was given short notice and no approval when LOSC approved on behalf of the SB County and SB County Regulatory stakeholders!

Patrick D. Hodgins

RPIC

Patrick D. Hodgins

Senior Director Safety & Security

Plains All American

333 Clay, Suite 1600

Houston, Texas 77002

713-646-4152 - office

281-467-3658 - cell

pdhodgins@paalp.com



Good afternoon,

There has been some recent correspondence we've received related to Line 901 response permitting that I would like the group to consider.

1. Please see the attached comment letter from the County of Santa Barbara to Jennifer Gold of CDFW OSPR regarding restoration plans.

a. Of significance is the line in the second paragraph, "*Please note that all restoration completed as part of emergency response will be subject to a Coastal Development Permit and full environmental review pursuant to the California Environmental Quality Act.*" This statement has been repeated (in relation to whatever activity is the subject of their review or approval) in every official letter, permit, and email we receive from the County. The County has made a distinct point to state this upcoming regulatory expectation.

b. In an informal conversation I had with the California Coastal Commission, the Director mentioned this same condition in relation to the work being completed in Sections 4 and 5. I asked her for clarification. She said that the emergency permits only granted initial authority to conduct the activities necessary to respond to the emergency; but, that the 'follow-on' permits (i.e. *Coastal Development Permit*), required by each agency, will review all aspects of the response for compliance with that agency's policies. Any actions deemed non-compliant with said policy may be required to be modified or removed and redone. They consider these 'follow-on' permits as outside of the OPA90 process.

c. Furthermore, the Commission's Director mentioned that the County would be the Lead Agency for "*full environmental review pursuant to the California Environmental Quality Act*". This would be a collective process with the Commission and City of Goleta having input. When I mentioned that the County had already issued a CEQA exemption (attached) for the entire response (this includes all activities related to cleanup, repair of the P/L, and restoration), she interpreted that exemption to apply to the emergency permits and not the 'follow-on' process.

d. The overall agency sentiment is that several UC approved plans were provided on short notice and that they were allowed to review and comment, but not approval. Therefore, they have reservations that the final product in the field will comply with their policies.

I just wanted to bring this to your attention before the OPA90 'emergency' phase is over and we are subject to these 'follow-on' permits and CEQA review.

James Buchanan

Environmental & Regulatory Compliance Specialist

Plains All American GP LLC

3600 Bowman Court

Bakersfield, CA 93308

(661) 336-7906 Office

(661) 336-7920 Fax

(661) 437-1459 Cell

jcbuchanan@paalp.com

Patrick D. Hodgins

Senior Director Safety & Security

Plains All American

333 Clay, Suite 1600

Houston, Texas 77002

713-646-4152 - office

281-467-3658 - cell

pdhodgins@paalp.com



Attention:

The information contained in this message and/or attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you received this in error, please contact the Plains Service Desk at 713-646-4444 and delete the material from any system and destroy any copies.

This footnote also confirms that this email message has been scanned for Viruses and Content and cleared.